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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	NO. 5:17-CR-13
	§	JUDGES SCHROEDER/CRAVEN
JAY EARL ANDERSON	§	

**ELEMENTS OF THE OFFENSE**

You are charged in **Count 2** of the indictment with violation of 18 U.S.C. § 2251(a) & (e) [Sexual Exploitation of Children – Producing Child Pornography]. The essential elements which must be proven to establish a violation of this offense are as follows:

**COUNT 2**  
**18 U.S.C. § 2251(a)**

- First:*** The defendant employed, used, persuaded, induced, enticed, or coerced any person under the age of eighteen years to engage in sexually explicit conduct; and
- Second:*** That the defendant acted with the purpose of producing a visual depiction of such conduct;
- Third:***
- a) That the visual depiction(s) was actually transmitted using any means or facility of interstate commerce or mailed; or
  - b) the visual depiction(s) was produced or transmitted using materials that have been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer; or
  - c) The defendant knew or had reason to know that the visual depiction(s) (e.g. digital photographs or video) would be transported or transmitted using any means or facility of interstate or foreign commerce, or mailed.

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Respectfully Submitted,

BRIT FEATHERSTON  
ACTING UNITED STATES ATTORNEY

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